



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/005,972

11/07/2001

Kjeld Borch Egevang

42P11644

2706

8791

7590

10/19/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,972

Applicant(s)

EGEVANG, KJELD BORCH

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Patent Application 10015959</u> |

RD

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/14/2005 have been fully considered but they are not persuasive.
2. The Applicant's amendment of the Abstract and Specifications as obviated the objection and are thus withdrawn.
3. The Applicant's arguments regarding U.S. Patent 6,119,171 to Alkhatib not disclosing a set of heuristics is not persuasive see Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses several algorithms to be used to get the best possible path to destination using a number of factors). And further Alkhatib discloses the Network Layer routing packets without decrypting the packets see Col 5 Ln 17-36.
4. The Applicant's arguments are persuasive and all double patenting rejections have been withdrawn. Regarding conflicting U.S. Application 10/015959('959) has been amended to overcome the double patenting rejection.
5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

Claim Rejections - 35 USC § 102

6. Claim 1 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,119,171 to Alkhatib.
7. Regarding Claim 1, Alkhatib discloses the receiving of encrypted packet having an identifier and an external address that represents a plurality of internal addresses; selecting one of the internal addresses using a set of heuristics and communicating the encrypted packet to the selected internal address see Fig. 10 item 502 & Col 13 Ln 24-55 & Abstract & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination).
8. Regarding Claim 2, 13, Alkhatib discloses the searching a list of identifiers having associated times; selecting an identifier having an earliest time; and retrieving the internal address associated with the selected identifier see Col 11 Ln 50- Col 12 Ln 21 & Col 6 Ln 27-33.
9. Regarding Claim 3, Alkhatib discloses the creating a list and searching the created list see Col 6 Ln 63-Col 7 Ln 5.

10. Regarding Claim 4, 14, Alkhatib discloses the receiving of encrypted packets having predetermined sequence number and an identifier associated with internal address see Col 6 Ln 24-26 & Col 8 Ln 67- Col 9 Ln 4 ; determining a time the packet was received and associating time and internal addresses with identifier see Col 6 Ln 27-33 & Fig. 3 items 66, 62, 64 and 80; storing the identifier with associated time and associated internal address see Col. 10 Ln 43-53.
11. Regarding Claim 8, Alkhatib discloses the receiving the message that is encrypted was communicated to incorrect address and further determining activity levels and communicating the packet to the one with highest activity level see Col 5 Ln 17-36.
12. Regarding Claim 9, Alkhatib discloses the creating a list of identifiers with each terminating at a device having an internal address, translating the internal addresses to a external address see Col 6 Ln 63- Col 7 Ln 31; the receiving of encrypted packet having an identifier and an external address that represents a plurality of internal addresses; selecting one of the internal addresses using a set of heuristics and communicating the encrypted packet to the selected internal address see Fig. 10 item 502 & Col 13 Ln 24-55 & Abstract & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination).

13. Regarding Claim 15, Alkhatib discloses the creating of list of identifiers terminating at a device with internal address and selecting an internal address using a set of heuristics for encrypted packet with external address and identifier see Col 6 Ln 63- Col 7 Ln 31 & Fig. 10 & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination)..
14. Regarding Claim 16, Alkhatib discloses the communicating the encrypted packet to the selected internal address see Fig. 10 item 502 & Col 13 Ln 24-55.
15. Regarding Claim 17, Alkhatib discloses the first net work sending of encrypted packets to an external address see Col 2 Ln 66- Col 3 Ln 28; a second network to receive the packets and translate the external address to an internal address using a set of heuristics see Col 13 Ln 24-55 & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination); a third network to receive the encrypted packet see Col 13 Ln 49-55.
16. Regarding Claim 18, Alkhatib discloses the use of natural address translation(NAT) see Col 2 Ln 13-29.

17. Regarding Claim 22, Alkhatib discloses the storage medium see Col 10 Ln 22-53; the stored medium having instructions that result in receiving an encrypted packet having identifier and an external address that represents a plurality of internal address, selecting one of the internal addresses using a set of heuristics and communicating the encrypted packet to selected internal address see Col 13 Ln 24-55 & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination); a third network to receive the encrypted packet see Col 13 Ln 49-55.
18. Regarding Claim 23, Alkhatib discloses the searching a list of identifiers having associated times; selecting an identifier having an earliest time; and retrieving the internal address associated with the selected identifier see Col 11 Ln 50- Col 12 Ln 21 & Col 6 Ln 27-33.
19. Regarding Claim 24, Alkhatib discloses the creating a list and searching the created list see Col 6 Ln 63-Col 7 Ln 5.
20. Regarding Claim 25, Alkhatib discloses the receiving of encrypted packets having predetermined sequence number and an identifier associated with internal address see Col 6 Ln 24-26 & Col 8 Ln 67- Col 9 Ln 4 ; determining a time the packet was received and associating time and internal addresses with identifier see Col 6 Ln 27-33 & Fig. 3 items 66, 62, 64 and 80; storing the

identifier with associated time and associated internal address see Col. 10 Ln 43-53.

21. Regarding Claim 26, Alkhatib discloses the storage medium see Col 10 Ln 22-53; the creating a list of identifiers with each terminating at a device having an internal address, translating the internal addresses to a external address see Col 6 Ln 63- Col 7 Ln 31; the receiving of encrypted packet having an identifier and an external address that represents a plurality of internal addresses; selecting one of the internal addresses using the list and a set of heuristics and communicating the encrypted packet to the selected internal address see Fig. 10 item 502 & Col 13 Ln 24-55 & Abstract & Col 11 Ln 50- Col 12 Ln 21 & Col 5 Ln 17-36 & Col 6 Ln 27-33(Alkhatib discloses the use of several routing algorithms based on several factors for getting the packet to destination); a third network to receive the encrypted packet see Col 13 Ln 49-55.

22. Regarding Claim 27, Alkhatib discloses the searching a list of identifiers having associated times; selecting an identifier having an earliest time; and retrieving the internal address associated with the selected identifier see Col 11 Ln 50- Col 12 Ln 21 & Col 6 Ln 27-33.

23. Regarding Claim 28, Alkhatib discloses the receiving of encrypted packets having predetermined sequence number and an identifier associated with

internal address see Col 6 Ln 24-26 & Col 8 Ln 67- Col 9 Ln 4 ; determining a time the packet was received and associating time and internal addresses with identifier see Col 6 Ln 27-33 & Fig. 3 items 66, 62, 64 and 80; storing the identifier with associated time and associated internal address see Col. 10 Ln 43-53.

Claim Rejections - 35 USC § 103

24. Claim 5-7, 10-12, 19-21, rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,119,171 to Alkhatib in view of EP 1130846 A2 to Nexland.
25. Regarding Claim 5-7, 10-12, Alkhatib does not disclose the packet being encrypted according to Internet Security Association and Key Management Protocol(ISAKMP), Encapsulating Security Payload(ESP), and identifier being a Security Parameter Index(SPI). However, Nexland discloses the ISAKMP, ESP and SPI see Col 5 Ln 26-39 & Col 5 Ln 4-16. It would be obvious to one having ordinary skill in the art at the time of the invention to include ISAKMP and ESP in the invention of Alkhatib in order to secure environment for communication as taught in Nexland see Par 0012 Ln 40-43.

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this

action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Application/Control Number: 10/005,972
Art Unit: 2132

Page 10

VP

9/30/2005

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100